

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

In re:

BIG APPLE ENERGY, LLC,

Debtor.

Case No. 18-75807 (AST)

Chapter 7

In re:

CLEAR CHOICE ENERGY, LLC,

Debtor.

Case No. 18-75808 (AST)

Chapter 7

Jointly Administered

RICHARD L. STERN, Solely in His Capacity as
Chapter 7 Trustee of the Jointly Administered
Estates of Big Apple Energy, LLC and
Clear Choice Energy, LLC,

Plaintiff,

Adv. Pro. No. 20-08121 (AST)

-against-

GLENWOOD CAPITAL LLC,

Defendant.

STIPULATION AND ORDER

This Stipulation and Order is by and between, the plaintiff, Richard L. Stern, solely in his capacity as the Chapter 7 Trustee (the “Plaintiff”) of the jointly administered estates of Big Apple Energy, LLC and Clear Choice Energy, LLC and the defendant, Glenwood Capital LLC (the “Defendant”) extending the Defendant’s time to answer or otherwise respond as set forth herein.

RECITALS

- A. On August 24, 2020, the Plaintiff commenced this above-captioned adversary proceeding against, among others, the Defendant by filing a complaint (the “Complaint”).
- B. On August 27, 2020, the Court issued a summons (the “Summons”).

C. On August 27, 2020, the Complaint and the Summons was served on the Defendant with the affidavit of service filed on the docket on September 4, 2020.

D. Pursuant to the Summons, the Defendant's time to answer or otherwise respond is September 28, 2020.

E. The Defendant has requested, and the Plaintiff has consented, to extend the deadline to file an answer or otherwise response to the Complaint as set forth herein.

TERMS AND CONDITIONS

1. The Defendant shall file and serve her answer or other response to the Plaintiff's Complaint on or before October 28, 2020.

2. This Stipulation and Order is without prejudice to the Defendant to seek another extension.

3. The Defendant waives any defense based on insufficiency of service of process or lack of personal jurisdiction in this adversary proceeding.

Dated: September 29, 2020

Wantagh, New York

LaMONICA HERBST & MANISCALCO, LLP

Counsel to Richard L. Stern, the Trustee

By: s/ Jacqulyn S. Loftin
Jacqulyn S. Loftin, Esq.
3305 Jerusalem Avenue, Suite 201
Wantagh, New York 11793
Telephone: 516.826.6500
Email: jsl@lhmlawfirm.com

Dated: September 29, 2020
Garden City, New York

MEYER, SUOZZI, ENGLISH & KLEIN, P.C.
Counsel to the Defendant

By: s/ Edward J. LoBello
Edward J. LoBello, Esq.
Member of the Firm
990 Stewart Avenue, Suite 300,
Garden City, New York 11530
Direct (516) 592-5706

SO ORDERED:

Dated: October 23, 2020
Central Islip, New York




Alan S. Trust
Chief United States Bankruptcy Judge